

### REMARKS

Claims 1-18 are pending. In the Office Action, claims 1-5, 8-12, 14, 17, and 18 stand rejected under 35 U.S.C. §102(b) as anticipated by the Wagner patent (U.S. No. 5,564,122). Additionally, claims 6, 7, 13, 15 and 16 are rejected under 35 U.S.C. §103(a) as being obvious over the Wagner patent. The Applicant respectfully requests the Examiner to reconsider the claims in view of the remarks submitted below.

#### The Section 102(b) Claim Rejections:

The Examiner rejected claims 1-5, 8-12, 14, 17, and 18 under 35 U.S.C 102(b) as being anticipated by the Wagner patent. The Applicants respectfully submit that these rejections have now been overcome in view of the amendments above and the reasons provided below.

Specifically, by this Amendment, independent claims 1, 11, and 18 recite an athletic training device having a hand-receiving portion coupled to and extending from a base portion of the training device. In this way, as illustrated in Figures 1 and 4, the training device provides the user with substantial reach for blocking a ball. In other words, the construction of the training device increases the range of ball paths that the user can block. This feature is beneficial for decreasing the height to which the user must jump and minimizing the length by which he must extend his arm for blocking a ball. In this way, the user can conserve energy and even react somewhat more slowly while still blocking the ball. On the other hand, the Wagner patent teaches a glove member attached to a middle portion of the blocker. In this regard, the Wagner patent does not teach the recited construction and does not provide the benefits of an extended reach associated therewith. It is therefore respectfully submitted that the rejection of claims 1-5, 8-12, 14, 17, and 18 have been now overcome.

Furthermore, amended claim 11 recites that the volleyball blocking pad includes a top portion for deforming when it is contacted by a volleyball. This top portion is opposite to the base portion of the blocking pad, upon which the hand-receiving portion is attached. For that reason, one skilled in the art will appreciate that the flexibility of the top portion absorbs a substantial portion of the ball's kinetic energy and minimizes the amount of torque that would have otherwise been applied to

the user's wrist. This additional feature further conserves the user's energy and decreases the chances of injury. Another advantage of this construction is that the deformable top portion can gradually apply torque to the user's wrist so as to safely strengthen the user's wrist. On the other hand, the Wagner patent teaches a glove that is attached to the center of the blocker. In that regard, the blocker is intended to impart a linear force on the back of the user's hand instead of imparting the torque to the user's wrist via the construction detailed above. It will be appreciated that the blocker does not deform as the top portion of the volleyball blocking pad does for minimizing the torque on the user's wrist. For this additional reason, the Applicant respectfully submits that rejection of claims 11 and claims 12-17, which depend from claim 11, are now overcome.

Moreover, claims 1, 11, and 18 recite a hand portion having a front palm side that is coupled to the training device. This construction requires that the user face his palm toward the oncoming ball. On the other hand, the Wagner patent teaches a blocking pad and a glove having a backhand side that is attached to the blocking pad. In this way, the user's backhand is faced toward an oncoming puck while permitting the user to simultaneously hold a goalie stick in his palm. One skilled in the art will understand that this construction does not teach or suggest the forward-facing palm structure of the recited invention. For this additional reason, the Applicants respectfully submit that claims 1-18 are novel and allowable notwithstanding the Wagner patent.

**The Section 103(a) Rejections:**

Claims 6, 7, 13, 15 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Wagner patent. It will be appreciated that modifying the blocking pad of the Wagner patent so that the palm side of the glove is attached to the blocker would prevent the user from simultaneously blocking the puck and holding his goalie stick. This modification would deviate from a primary objective of the hockey goalie blocker disclosed in the Wagner patent. It is therefore respectfully submitted that no motivation exists to modify the Wagner patent to attach the palm side of the glove to the blocker.

Moreover, it is understood that claims 6 and 7, which depend from claim 1, necessarily include several limitations not taught or suggested by the Wagner patent. Likewise, claims 13, 15, and 16, which depend from claim 11, must include limitations that are not taught or suggested by the Wagner patent.

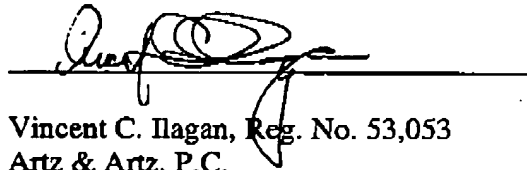
Therefore, the Applicant respectfully submits that claims 6, 7, 13, 15, and 16 are nonobvious and allowable notwithstanding the Wagner patent.

**Conclusion:**

In view of the above amendments and remarks, it is submitted that all objections and rejections of record have been overcome and that all pending claims are now in a condition for allowance. A Notice of Allowance is therefore earnestly solicited.

If the Examiner should have any questions, she is urged to contact the undersigned at (248) 223-9500.

Respectfully Submitted,



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